

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Timothy J. Gorbey, Administrator, d.b.n., of the
Estate of Marissa Rose Fishman, deceased

Plaintiff

vs.

Richard Longwill, Barbara Longwill Ashland
Construction Co., Inc. and Vincent Rizzo

Defendants.

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Civil Action No. 05-211-MPT

JURY TRIAL DEMANDED

PLAINTIFF'S MOTION FOR LEAVE TO AMEND CAPTION AND COMPLAINT

Plaintiff, Timothy J. Gorbey, Administrator, d.b.n., of the Estate of Marissa Rose Fishman, deceased by and through his undersigned counsel, hereby incorporates by reference the Memorandum of Law supporting Plaintiff's Motion for Leave to Amend Caption and Complaint attached hereto, as though fully set forth herein.

WEISS AND SAVILLE, P.A.

By: /s/ Yvonne Takvorian Saville
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Dated: April 25, 2008